REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 2-9, 12-19, 21-28, 31-38 and 41-48 are pending in this application.

Rejection Under 35 U.S.C. §102:

Claims 1-48 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Yonemitsu et al (U.S. '705, hereinafter "Yonemitsu"). Applicant respectfully traverses this rejection with respect to still pending claims 2-9, 12-19, 21-28, 31-38 and 41-48.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. Yonemitsu fails to disclose each element of the claimed invention. For example, Yonemitsu fails to disclose a data reader having an overwrite circuit to overwrite the recorded date recorded in a recording medium with the current date detected by a detection circuit of the data reader, as required by now independent claims 2, 12, 21, 31 and 41 and their respective dependents.

Yonemitsu discloses a decoding unit 30 (a "player" as indicated on col. 4, line 21) which merely reads and plays back data recorded on medium 20. There is no structure in decoding unit 30 which writes data such as date data onto medium 20.

The Office Action apparently alleges that the abstract discloses the above claimed feature of claims 2, 12, 21, 31 and 41. (See page 3, lines 20-22 of the Office Action). Applicant disagrees. The abstract merely discloses "...allowable period data is stated in association with the territory code. This allowed period is compared to the date of a calendar generator in the decoding unit. If the date of the calendar generator is comprised within the allowed period, the recording medium is decoded and reproduced." The abstract does not disclose an overwrite circuit for writing any data onto medium 20, let alone overriding the recorded data with the current date detected by a detecting circuit of a data reader.

Claims 4, 14, 23, 33 and 43 have now been rewritten in independent form. Each of these claims requires detecting an elapsed time from a date of commencing output of data, and detecting a current date based on the date of commencing output and the elapsed time. Yonemitsu fails to disclose this claimed feature. While the first time that data recorded on medium 20 is read out may be construed as the date of commencing output of the data, Yonemitsu fails to further disclose or suggest detecting an elapsed time from this first time that the data is read out and/or detecting a current date based on the date of the commencing output and the elapsed time.

The Office Action apparently alleges that col. 8, lines 1-25 and col. 10, lines 20-25 disclose these features. (See page 3, lines 26-30 of the Office Action).

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Applicant disagrees. Col. 8, lines 1-25 merely discloses different allowable periods for different respective territories (countries).

Claims 5, 15, 24, 34 and 44 have now been rewritten in independent form. Claims 6, 16, 25, 35 and 45 remain dependent from claims 5, 15, 24, 34 and 44, respectively. Each of these claims requires detecting that a current date is incorrect when the current date is before the recorded date. Yonemitsu's decoding unit 30 includes a calendar generator 38 which provides an "absolute" date (presumably the current date). This current date from calendar generator 38 is compared to the allowable period which is defined at least in part by an allowed period start time 50A. However, there is no explicit teaching of the current date being detected as being incorrect if the current date is before the recorded date. That is, Yonemitsu fails to disclose making any detection or providing any further action if the "absolute" date from calendar generator 38 is before the allowed period start time 50A recorded on medium 20.

The Office Action apparently alleges that col. 6, lines 40-65 discloses the above claimed feature. (See page 4, lines 1-3 of the Office Action). Applicant disagrees. This passage of Yonemitsu merely discloses comparing absolute time data from calendar generator 38 with the allowed period data recorded on medium 20.

Claims 7, 17, 26, 36 and 46 have been rewritten in independent form. Claims 8-9, 18-19, 27-28, 37-38 and 47-48 depend from base claims 7, 17, 26, 36

and 46, respectively. Each of these claims requires determining whether output of data recorded in a recording medium is allowed or not based on a time limit, a recorded date, a <u>monitor date</u>, and a current date. Yonemitsu discloses determining whether data recorded in medium 20 may be allowed or not based on the allowed time period (including allowed period start time 50A and allowed period end time 50B) and the absolute time provided by calendar generator 38. Assuming that the absolute time provided by calendar generator 38 is the current time or date, there would not be anything in Yonemitsu that would disclose the further required "monitor date."

The Office Action apparently alleges that col. 8, lines 1-25 of Yonemitsu discloses the above claimed feature. (See page 4, lines 8-13 of the Office Action). Applicant disagrees. Col. 8, lines 1-25 of Yonemitsu merely discloses assigning different allowed period data to respective territory codes.

Accordingly, Applicant respectfully submits that still pending claims 2-9, 12-19, 21-28, 31-38 and 41-48 are not anticipated by Yonemitsu and respectfully requests that the rejection of these claims under 35 U.S.C. §102(b) be withdrawn.

Conclusion:

Applicant believes that this entire application is in condition for allowance
and respectfully requests a notice to this effect. If the Examiner has any questions
or believes that an interview would further prosecution of this application, the
Examiner is invited to telephone the undersigned.

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Respectfully submitted,

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